

CARLA A. McCAULEY (State Bar No. 223910)
 carlamccauley@dwt.com
 SEAN M. SULLIVAN (State Bar No. 229104)
 seansullivan@dwt.com
 DAVIS WRIGHT TREMAINE LLP
 865 South Figueroa Street, 24th Floor
 Los Angeles, California 90017-2566
 Tel.: (213) 633-6800 Fax: (213) 633-6899

ROBERT D. BALIN (*pro hac vice*)
 robbalin@dwt.com
 LACY H. KOONCE, III (*pro hac vice*)
 lancekoonce@dwt.com
 GEORGE WUKOSON (*pro hac vice*)
 georgewukoson@dwt.com
 DAVIS WRIGHT TREMAINE LLP
 1251 Avenue of the Americas, 21st Floor
 New York, New York 10020
 Tel.: (212) 489-8230 Fax: (212) 489-8340
 ATTORNEYS FOR PLAINTIFFS

**UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA**

CHINA CENTRAL TELEVISION, a China
 company; CHINA INTERNATIONAL
 COMMUNICATIONS CO., LTD., a China
 company; TVB HOLDINGS (USA), INC., a
 California corporation; and DISH
 NETWORK L.L.C., a Colorado corporation,
 Plaintiffs,

vs.

CREATE NEW TECHNOLOGY (HK)
 LIMITED, a Hong Kong company; HUA
 YANG INTERNATIONAL TECHNOLOGY
 LIMITED, a Hong Kong company;
 SHENZHEN GREATVISION NETWORK
 TECHNOLOGY CO. LTD., a China
 company; CLUB TVPAD, INC., a California
 corporation; BENNETT WONG, an
 individual, ASHA MEDIA GROUP INC.
 d/b/a TVPAD.COM, a Florida corporation;
 AMIT BHALLA, an individual;
 NEWTPAD LTD. COMPANY d/b/a
 NEWTPAD.COM a/k/a TVPAD USA, a
 Texas corporation; LIANGZHONG ZHOU,
 an individual; HONGHUI CHEN d/b/a E-
 DIGITAL, an individual; JOHN DOE 1 d/b/a
 BETV; JOHN DOE 2 d/b/a YUE HAI; JOHN
 DOE 3 d/b/a 516; JOHN DOE 4 d/b/a HITV;
 JOHN DOE 5 d/b/a GANG YUE; JOHN
 DOE 6 d/b/a SPORT ONLINE; JOHN DOE 7
 d/b/a GANG TAI WU XIA; and JOHN DOES
 8-10,

Defendants.

Case No.

CV 15-1869 SVW (AJWx)

**NOTICE RE CASE STATUS
 AND REQUEST TO TAKE
 TRIAL DATE OFF CALENDAR;
 EXHIBIT 1**

Courtroom: 6

Judge: Hon. Stephen V. Wilson

Current Trial Date: May 10, 2016

Current Pretrial Conf: April 11,
 2016

Complaint Filed: March 13, 2015

Plaintiffs China Central Television, China International Communications Co., Ltd., TVB Holdings (USA), Inc., and DISH Network L.L.C. (collectively “Plaintiffs”) hereby submit this notice to advise the Court of the current status of this case, to request that the Court take the pending trial and pretrial conference dates off calendar or continue those dates to a date convenient for the Court, because there are no defendants remaining in the case against whom Plaintiffs can try this case. Plaintiffs also respectfully request that the Court promptly issue the pending permanent injunction against defaulting defendants Create New Technology HK Limited (“CNT”) and Hua Yang International Technology Limited (“HYIT”), given the extended passage of time since the Court issued its default judgment order against CNT and HYIT on December 7, 2015 indicating that the permanent injunction would be forthcoming, and in light of continuing infringement by those defendants.

Background

On March 13, 2015, Plaintiffs filed this action against CNT, HYIT, Shenzhen GreatVision Network Technology Co., Ltd. (“GreatVision”), Club TVpad, Inc. (“Club TVpad”), Bennett Wong, Asha Media Group (“AMG”), Amit Bhalla, newTVpad Ltd. Company (“newTVpad”), Liangzhong Zhou, Honghui Chen and various fictitious defendants. (Dkt. No. 1.) Since that time, the action has been resolved, or has been placed in abeyance, as to all defendants.

The Court has entered stipulated consent judgments and permanent injunctions as to defendants newTVpad Ltd. Co. and Liangzhong Zhou (Dkt. No. 107); Honghui Chen (Dkt. No. 17.); and Bennett Wong and Club TVpad, Inc. (Dkt. No. 182), dismissing the action as to those defendants. Plaintiffs voluntarily dismissed without prejudice defendant GreatVision. (Dkt. No. 141.) On February 22, 2016, the Court granted defendants AMG and Amit Bhalla’s motion to hold the case in abeyance as to those parties pending Chapter 7 Bankruptcy. (Dkt. No. 180.)

On December 7, 2015, the Court (Judge M. Morrow presiding) granted Plaintiffs’ motion for default judgment as to the primary manufacturers and

1 marketers of the TVpad device, defendants CNT and HYIT. (Dkt. No. 158,
 2 Amended Default Judgment Order.) In its Order, the Court directed Plaintiffs to
 3 submit additional information on attorneys' fees, stating that it "will award
 4 \$55,460,691 in copyright and trademark damages, and enter a permanent injunction
 5 precluding further copyright and trademark infringement by defendants." (Dkt. 154.)
 6 Plaintiffs timely submitted the requested attorneys' fees information on January 11,
 7 2016. (Dkt. Nos. 159, 160, 164.)

8 On February 12, 2016, Plaintiffs filed an Ex Parte Application requesting that
 9 Plaintiffs' pending request for entry of permanent injunctive relief as to CNT and
 10 HYIT be entered as soon as feasible by the Court, and submitted a proposed amended
 11 permanent injunction order containing updated information regarding the IP
 12 addresses used by CNT and HYIT in connection with the TVpad service. A copy of
 13 the amended [Proposed] Order Granting Plaintiffs' Motion for Default Judgment and
 14 Permanent Injunction Against Defendants Create New Technology (HK) Limited and
 15 Hua Yang International Technology Ltd. that was filed on February 12 is attached
 16 hereto as Exhibit 1. By providing the Court with updated information, Plaintiffs
 17 sought to ensure that the permanent injunction entered by the Court includes the best
 18 available information concerning the TVpad service, to allow for more appropriate,
 19 targeted enforcement against ongoing infringement by CNT and HYIT.

20 **Request to Remove Trial Date from Calendar**

21 The only remaining defendants in this action are AMG and Amit Bhalla, and
 22 the claims against those defendants have been held in abeyance pursuant to this
 23 Court's February 22, 2016 Order. While the Court's Order did not specify the length
 24 of time of the abeyance, at the hearing on the motion, counsel for Plaintiffs and AMG
 25 both agreed, and the Court appeared to agree, that an abeyance of two months as to
 26 defendant AMG would be acceptable. Assuming that two month period to be the
 27 period of abeyance, the abeyance will not expire until April 22, 2016.

28 Meanwhile, the Court currently has set trial for May 10, 2016, and a pretrial

1 conference for April 11, 2016. (Dkt. No. 167.) It is clear based on the background
 2 provided above that there will be no need for a trial on May 10, 2016, and it is not
 3 clear that there will be a need for a trial in this matter at all. Even upon expiration of
 4 the abeyance period discussed above as to defendant AMG, it is not clear what the
 5 bankruptcy trustee will do with respect to defending this action.

6 Plaintiffs respectfully request that the Court take the dates currently set for
 7 pretrial conference and trial off calendar, pending a determination as to AMG's status
 8 in this case. Alternatively, Plaintiffs respectfully request that the Court continue the
 9 pretrial conference, currently set for April 11, 2016, and trial, currently set for May
 10 10, 2016, to a date convenient for the Court 120 days from the dates currently set.

11 **Renewed Request for Issuance of Permanent Injunction**

12 Plaintiffs also note that although the Court granted Plaintiffs' motion for
 13 default judgment as to CNT and HYIT on December 7, 2015, Plaintiffs' request for
 14 entry of permanent injunctive relief as to those parties remains pending. (See Dkt.
 15 No. 176, Ex Parte Application for Permanent Injunction.)

16 Plaintiffs respectfully renew their request that the permanent injunction be
 17 promptly issued, in light of the ongoing infringement by defendants, and given that
 18 the claims against all defendants either have been decided or placed in abeyance.
 19 Further passage of time in entering permanent injunctive relief hampers Plaintiffs'
 20 ability to effectively enforce the Court's order granting default judgment against the
 21 primary manufacturers and marketers of the TVpad device, CNT and HYIT.

22 DATED: March 30, 2016

DAVIS WRIGHT TREMAINE LLP
 CARLA A. McCAULEY
 SEAN M. SULLIVAN
 ROBERT D. BALIN (*pro hac vice*)
 LACY H. KOONCE, III (*pro hac vice*)
 GEORGE WUKOSON (*pro hac vice*)

26 By: /s/Sean M. Sullivan
 27 Sean M. Sullivan

28 Attorneys for Plaintiffs